

RESOLUTION NO. R16-720

**A RESOLUTION TO ADOPT A POLICY POLITICAL CAMPAIGNING  
ON PUBLIC PROPERTY FOR THE CITY OF STOCKBRIDGE**

WHEREAS, the City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, the City Council desires to establish a fair and equitable policy for political campaigning on public property in the City of Stockbridge;

THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES:

**SECTION 1. Approval.** The political campaigning policy attached hereto as Exhibit A is hereby approved.

**SECTION 2. Public Record.** This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Stockbridge.

**SECTION 3. Authorization of Execution.** The Mayor or Mayor Pro Tem is hereby authorized to sign all documents necessary to effectuate this Resolution.

**SECTION 4. Attestation.** The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

**SECTION 5. Effective Date.** This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

SO RESOLVED this 26<sup>th</sup> day of April, 2016.

  
ANTHONY S. FORD, MAYOR PRO TEM

APPROVED AS TO FORM:

  
MICHAEL WILLIAMS, City Attorney

ATTEST:

  
(SEAL)  
VANESSA HOLIDAY, City Clerk

## EXHIBIT A

### Political Campaigning Policy

## **STOCKBRIDGE POLICY REGARDING POLITICAL CAMPAIGN ACTIVITIES ON PUBLIC FACILITIES OR AT PUBLIC EVENTS**

### **PURPOSE**

This policy provides a consistent approach and direction to City employees on how City resources can and cannot be used during municipal, school board, county, state and federal election campaigns or campaigns on questions on a ballot.

### **DEFINITIONS**

"Campaigning" – means any activity by or on behalf of a candidate, political party or question on a ballot meant to elicit support. Campaigning does not include the appearance of elected officials, other candidates or their supporters, or registrants at an event in their personal capacity without the display of any signage or graphic which identifies the individual as a candidate or registrant and without the solicitation of votes. Wearing of t-shirts, hats or other similar apparel shall not constitute signage or graphics for purposes of this definition.

"Campaign Materials" – means any materials used to solicit votes for a candidate(s) or question in an election including but not limited to literature, banners, posters, pictures, or other similar printed paraphernalia. Campaign materials include materials in all media, for example, print, displays, electronic radio or television, online including websites or social media. T-shirts, hats or other similar apparel shall not constitute signage or graphics for purposes of this definition.

"Candidate" – means any person who has filed and not withdrawn for an elected office.

"City of Stockbridge Resources" – includes but is not limited to City employees, City events, City facilities, City funds, City information and City infrastructure. These are further defined as follows:

"City employees" – means all employees or public officials of the City of Stockbridge., excluding candidates and Elected Officials.

"City events" – means events funded or organized by the City of Stockbridge or Members of Council, including events that may be jointly organized with community organizations and/or with external sponsors. City events include, but are not limited to: community meetings and consultations, parks, recreation or cultural facility openings or celebrations.

"City facilities" – means any facility which is owned or leased by a City of Stockbridge department and which is directly managed and operated by the City. City facilities do not include public right-of-ways such as sidewalks, roads and boulevards, laneways, except the sidewalk adjacent to City Hall.



"City funds" – means funding support through the City's annual operating or capital budgets, including but not limited to funds provided directly to City programs and services.

"City information" – means any information in the custody and control of the City, including databases that may be the repository of names, contact information, business records, financial information or other identifiers compiled and used by City of Stockbridge employees to conduct City business.

"City infrastructure" – means any physical or technology systems that support the operation of City programs and services, including but not limited to the City's vehicles, computer network, telecommunications and e-mail system, wireless equipment, computer hardware, software and peripherals, internet and intranet.

"Contribution" – a means any money, goods and services given to and accepted by or on behalf of a person or group for an election campaign.

"Election" – means an election at the municipal, school board, county, state or federal level and ballot questions.

"Election Period" – means the period between the time candidates qualify for an election and election day.

"Elected Official" – means an individual elected to hold public office.

"Glad-handing" – means attending a City event as a private individual and interacting with other event attendees without displaying signage or disseminating material which identifies the individual as a candidate and without encouraging votes for a candidate, a political party or a position on a question on a ballot.

"Media Event" – means an event such as a press conference or photo opportunity to which the media is invited and the purpose of which is to promote a candidate, a political party or a position on a question on a ballot. Features of a Media Event can include but are not limited to, the issuing of a media advisory stating date, time and location of briefing/press conference, use of backdrops, podiums or public address systems, the distribution of media releases and/or media kits and/or the display of signage and/or other materials to promote a candidate or a position on a question on a ballot.

"Media Scrum" – means an unplanned encounter between a candidate, their staff and/or a member or members of the media.

"New/Social Media" – means online technologies and practices used to share opinions, insights, experiences, and perspectives through words, pictures, music, videos and audio. Social media can take many different forms, including but not limited to internet forums, web logs (blogs), social blogs, messaging, wikis, podcasts, pictures, video, music sharing, rating and bookmarking.

"Political Party" – means an organization whose fundamental purposes is to participate in public affairs by endorsing one or more of its members as candidates and supporting their election, or to promote the acceptance of a certain position on a question on a ballot.

"Question on a Ballot" – means any question or matter submitted for consideration by the voters.

## **PRINCIPLES**

The City of Stockbridge must balance the need for freedom of expression and assembly of candidates and its legal responsibility to not provide an unfair advantage to any candidate, political party or a supporter of a question on a ballot during an election.

The City of Stockbridge cannot make a contribution (including money, goods and services) to any candidate, political party or a supporter of a question on a ballot during an election.

City of Stockbridge resources cannot be used to promote one candidate, political party or a supporter of a question on a ballot during an election over another candidate, political party or a supporter of a question on a ballot during an election.

This policy is intended to enable continued public and media access to candidates for information and interviews. The policy distinguishes between unplanned media scrums or chance public encounters by candidates and the media, whether in person or online, and actual planned media events or rallies.

The policy recognizes that Members of Council are holders of their office until the end of their term and supports Members in continuing to fulfill their responsibilities as Members of Council.

## **POLICY**

### A. Activities Allowable during an Election

A1) A candidate may use a City facility during a campaign if the property is a public forum open to all members of the general public, such as the City Hall steps, sidewalks, or public parks and such use does not occur at the same time as a City event.

A2) Campaign events in public facilities, including public parks, are subject to the same rules as any other event and may require an application or fee depending on City's established codes, policies and procedures regarding the use of City facilities.

A2) City facilities may be used for political forums when the forum is open to all candidates in a specific race and the general public is invited to attend the event. This clause is subject to all other applicable City codes, policies and procedures regarding the use of City facilities.



A2) Candidate, political party or a supporter of a question on a ballot during an election are permitted to distribute campaign materials on public right of way sidewalks and thoroughfares and at City parks, subject to any existing permitting policies for these facilities.

A3) Informal media scrums are permitted in public or common areas at the following City facilities provided that no apparatus, mechanism or device for the amplification of the human voice or any sounds is used and that the activity is not disruptive to regular City business in the vicinity. If the media scrum is disruptive, employees may ask the participants to find an alternative location:

- o Stockbridge City Hall
- o Any City park.

A4) Candidate, political party or a supporter of a question on a ballot during an election are permitted to attend City events, or events held at City facilities, in either their capacity as elected representatives or as private citizens to glad-hand with attendees and visitors, but may not solicit votes for themselves, a political party or a supporter of a question on a ballot, except in the areas designated for such activities by the City at such event. No election signs may be posted and no campaign materials may be disseminated at City events, except in the areas designated for such activities by the City at such event. This clause is subject to all applicable City codes, policies and procedures.

A6) Permits for generic election-related purposes, such as educating citizens and/or prospective candidates on election matters, can be issued for City facilities as long as no one particular candidate, political party or a supporter of a question on a ballot during an election is promoted or endorsed at the event.

A7) Elected officials are permitted to attend City-organized events or events held on City of Stockbridge property and act as ceremonial participants in their capacity as elected officials, including speaking at the event and partaking in ceremonial activities.

A8) City of Stockbridge online information related to elected officials will continue to be accessible by the public.

A9) City of Stockbridge databases already made available for public use may be used by candidate, political party, registrant or a supporter of a question on a ballot during an election.

A10) City employees may work on a campaign or support a candidate outside of their work hours, as long as they abide by the City's Employee Manual.

#### B. Activities Not Allowable during an Election

B1) City of Stockbridge resources may not be used to support, endorse or otherwise provide an unfair advantage to any candidate, political party or a supporter of a question on a ballot during an election.

B2) City of Stockbridge employees may not campaign or actively work in support of municipal, school board, county, state and federal election campaigns or campaigns on questions on a ballot during working hours unless they are on a leave of absence without pay or vacation leave.

B3) City facilities and City infrastructure cannot be used for any election-related purposes by candidate, political party or a supporter of a question on a ballot during an election, including for the display of any campaign-related signs in windows or on the facilities, as well as for any other form of campaigning on the facilities, except as described in section A of this policy.

B4) Any Candidate, political party or a supporter of a question on a ballot during an election shall not distribute any campaign materials in City of Stockbridge facilities or at City of Stockbridge events, except on public right-of ways, thoroughfares, in City parks and on City civic squares as described in section A of this policy.

B5) City of Stockbridge communications materials, whether for internal or for public distribution, must not:

- a. Profile (name or photograph), make reference to and/or identify any individual as a candidate in any election or any question on a ballot.
- b. Advocate for or against a particular candidate, political party or question on a ballot.

Communications materials include but are not limited to: media releases, media advisories, invitations for special events, flyers, posters, banners, brochures and newsletters.

B6) An elected official may not hand out a city-funded newsletter during a campaign event or while soliciting votes after qualifying as a candidate for municipal office. An elected official may not use photographs paid for by city funds in campaign literature unless the photographs are available for use by any member of the public. An elected official cannot use city funds to pay for email services and mailings for political campaign purposes.

B7) Websites or domain names that are funded by the City of Stockbridge must not include any campaign materials, make reference to and/or identify any individual as a candidate, political party or a supporter of a question on a ballot during an election, or profile any slogan or symbol associated with a candidate, political party or a supporter of a question on a ballot during an election.

B8) New/Social media sites, blogs, and other new media created and managed by City employees must not make reference to and/or identify any individual as a candidate, political party or a supporter of a question on a ballot during an election.

B9) Photographic or video materials which have been or may be created by City employees or with City resources must not be used in any campaign materials.

B10) The City of Stockbridge logo must not be used in any campaign materials.

B11) City databases must not be used by any candidate, political party or a supporter of a question on a ballot during an election, unless the database has already been released for public use or in connection with an Open Records Act request.

B12) City infrastructure cannot be used for any election purposes.

B13) City of Stockbridge employees will not perform any service, offer any advice or provide any information solely for the use of one candidate, political party or a supporter of a question on a ballot.